

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

JAMES HUFFNAGLE, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	NO. 3:11-1009
	)	Judge Campbell/Bryant
ANTHONY LOIACONO, et al.,	)	Jury Demand
	)	
Defendants.	)	

**O R D E R**

Plaintiffs have filed their motion to compel discovery (Docket Entry No. 47), by which they seek an order compelling defendants Loiacono and Heads & Tails, Inc. to respond fully to certain interrogatories and requests for production of documents previously served on them by plaintiffs. Defendants Loiacono and Heads & Tails, Inc. have filed a response (Docket Entry No. 49).

In their memorandum in support of their motion, plaintiffs complain that defendants have produced over 1,000 pages of documents, which have been Bates-stamped, but that none of these documents are identified as responsive to any particular interrogatory or request for production. Plaintiffs further complain that defendant Loiacono has failed to answer fully and completely eleven interrogatories and nineteen requests for production and that defendant Heads & Tails, similarly, has failed to answer fully and completely five interrogatories and twelve requests for production (Docket Entry No. 48 at pages 4-13).

Local Rule 37.01(b)(2) provides that any motion to compel discovery shall quote verbatim any interrogatory or request for production of documents that is the subject of the motion and include the response or objection of the opposing party.

Plaintiffs' motion to compel fails to comply with this local rule. Although plaintiffs' memorandum lists the interrogatories and requests for production and apparently paraphrases the information sought, plaintiffs have failed to provide the Court with either the verbatim interrogatory or request or the verbatim response by defendants.

Moreover, it appears from defendants' response that, following the filing of plaintiffs' motion to compel, defendants Loiacono and Heads & Tails, Inc. have served supplemental responses (Docket Entry Nos. 49-3 and 49-4). From these supplemental responses, it appears that these defendants have both provided additional information following the entry of a protective order, and have included references linking produced documents to specific interrogatories and requests for production by Bates number of the produced documents.

From the foregoing, the undersigned Magistrate Judge finds that plaintiffs have failed to comply with the local rule in the filing of their motion to compel, and that defendants apparently have served supplemental responses providing additional information and linking particular interrogatories and requests for production to documents previously produced by defendants.

For these reasons, plaintiffs' motion to compel discovery (Docket Entry No. 47) is DENIED.

It is so **ORDERED**.

s/ John S. Bryant  
JOHN S. BRYANT  
United States Magistrate Judge